

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

VIRGINIA ANN ALLISON, )  
                          )  
                          Plaintiff, )  
                          )  
v.                     )               1:16CV596  
                          )  
NANCY A. BERRYHILL, )  
Acting Commissioner of Social )  
Security,                )  
                          )  
                          Defendant. )

**ORDER**

This matter is before this court for review of the Memorandum Opinion and Recommendation ("Recommendation") filed on August 31, 2017, by the Magistrate Judge in accordance with 28 U.S.C. § 636(b). (Doc. 14.) In the Recommendation, the Magistrate Judge recommends that the Commissioner's decision finding no disability be affirmed, that Defendant's motion for judgment on the pleadings (Doc. 11) be granted, that Plaintiff's motion for judgment (Doc. 9) be denied, and that this action be dismissed with prejudice. The Recommendation was served on the parties to this action on August 31, 2017 (Doc. 15). Counsel for Plaintiff filed timely objections (Doc. 16) to the Recommendation.

This court is required to "make a de novo determination of those portions of the [Magistrate Judge's] report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge. . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." *Id.*

This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court finds that Plaintiff's objections do not change the substance of the United States Magistrate Judge's Recommendation (Doc. 14), which is affirmed and adopted.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Recommendation (Doc. 14) is **ADOPTED**. **IT IS FURTHER ORDERED** that Plaintiff's motion for judgment reversing or modifying the decision of the Acting Commissioner of Social Security, or remanding the cause for a rehearing (Doc. 9) is **DENIED**, that Defendant's motion for judgment on the pleadings (Doc. 11) is **GRANTED**, that the Commissioner's decision is **AFFIRMED**, and that this action is dismissed with prejudice.

A Judgment dismissing this action will be entered  
contemporaneously with this Order.

This the 26th day of September, 2017.

William L. Osten, Jr.  
United States District Judge